IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION

JOHN ANTHONY CASTRO,

Plaintiff,

v.

SECRETARY OF STATE ANDREW WARNER, and DONALD JOHN TRUMP,

Civil Action No. 2:23-cv-00598 The Honorable Irene C. Berger

Defendants,

WEST VIRGINIA REPUBLICAN PARTY,

Intervenor-Plaintiff.

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant Donald John Trump, by counsel, hereby notifies this Court of supplemental authority in support of Defendant's Motion to Dismiss, CM/ECF No. 33.

• John Anthony Castro v. Donald John Trump, et al., No. 23-1902, Document 00118077108, (1st Cir. Nov. 21, 2023) (affirming dismissal of Castro complaint for lack of standing) aff'g Castro v. Trump, et al., No. 23-cv-416, 2023 WL 7110390 (D.N.H. Oct. 27, 2023).

DONALD JOHN TRUMP,

By Counsel,

/s/ J. Mark Adkins

J. Mark Adkins (WVSB #7414)
Richard R. Heath, Jr. (WVSB #9067)
William M. Lorensen (WVSB #13223)
BOWLES RICE LLP
600 Quarrier St.
Charleston, West Virginia 25301
(304) 347-1100
madkins@bowlesrice.com
rheath@bowlesrice.com
wlorensen@bowlesrice.com

CERTIFICATE OF SERVICE

The undersigned counsel does hereby certify that on the **22nd** day of **November**, **2023**, the foregoing *Notice of Supplemental Authority* was served upon all parties of record electronically via the Court's CM/EMF system as follows:

John Anthony Castro 12 Park Place Mansfield, Texas 76063 J.Castro@CastroAndCo.com *Pro Se Plaintiff*

Elgine Heceta McArdle MCARDLE LAW OFFICE 2139 Market Street Wheeling, West Virginia 26002 elgine@mcardlelawoffice.com

-and-

Jay Alan Sekulow Jordan A. Sekulow Stuart J. Roth Andrew J. Economou Benjamin P. Sisney Nathan J. Moelker THE AMERICAN CENTER FOR LAW AND JUSTICE 201 Maryland Avenue, NE Washington, DC 20002 sekulow@aclj.org jordansekulow@aclj.org sroth@aclj.org aekonomou@aclj.org bsisney@aclj.org nmoelker@aclj.org Counsel for Intervenor-Plaintiff West Virginia Republican Party

Douglas P. Buffington, II
Chief Deputy Attorney General
Curtis R. A. Capehart
Deputy Attorney General
Chanin Wolfinbarger Krivonyak
Deputy Attorney General
Office of the Attorney General
1900 Kanawha Blvd. E., Bldg 1, Rm 26E
Charleston, West Virginia 25305
Doug.P.Buffington@wvago.gov
Curtis.R.A.Capehart@wvago.gov
ckrivonyak@wvago.gov
Counsel for Defendant Andrew Warner,
West Virginia Secretary of State

Michael R. Williams
Principal Deputy Solicitor General
David E. Gilbert
Deputy Attorney General
State Capitol Complex
Building 1, Room E-26
michael.r.williams@wvago.gov
dgilbert@wvago.gov
Counsel for Intervenor The State of West
Virginia – Patrick Morrisey, Attorney
General

/s/ J. Mark Adkins

J. Mark Adkins (WVSB #7414)